

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Related Docket Nos. 553, 1084, 1253

**SECOND SUPPLEMENTAL DECLARATION OF JUSTIN R. ALBERTO IN SUPPORT
OF APPLICATION FOR AN ORDER PURSUANT TO 11 U.S.C. §§ 328(a) AND 1103
AUTHORIZING AND APPROVING THE RETENTION AND EMPLOYMENT
OF COLE SCHOTZ P.C. AS SPECIAL REAL ESTATE COUNSEL, EFFICIENCY
COUNSEL AND DELAWARE COUNSEL TO THE OFFICIAL COMMITTEE
OF UNSECURED CREDITORS EFFECTIVE AS OF SEPTEMBER 24, 2024**

Justin R. Alberto, hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the law firm of Cole Schotz P.C. ("Cole Schotz"), which maintains offices for the practice of law at 500 Delaware Avenue, Suite 1410, Wilmington, Delaware. Cole Schotz also maintains offices in Boca Raton, Florida; Baltimore, Maryland; Hackensack, New Jersey; New York, New York; and Dallas, Texas.

2. I am duly authorized to make this second supplemental declaration (the "Second Supplemental Declaration") on behalf of Cole Schotz in support of the *Application for an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103 Authorizing and Approving the Retention and Employment of Cole Schotz P.C. as Special Real Estate Counsel, Efficiency Counsel and Delaware*

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors' corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

Counsel to the Official Committee of Unsecured Creditors Effective as of September 24, 2024 [Docket No. 553] (the “Application”),² which was granted by this Court on November 13, 2024 [Docket No. 1084].

3. On October 18, 2024, Cole Schotz filed the Application, together with, among other things, the *Declaration of Justin R. Alberto in Support of Application for an Order Pursuant to 11 U.S.C. §§ 328(A) and 1103 Authorizing and Approving the Retention and Employment of Cole Schotz P.C. as Special Real Estate Counsel, Efficiency Counsel and Delaware Counsel to the Official Committee of Unsecured Creditors Effective as of September 24, 2024*, which is attached to the Application as Exhibit A (the “Alberto Declaration”).

4. On November 27, 2024, Cole Schotz filed the *Supplemental Declaration of Justin R. Alberto in Support of Application for an Order Pursuant to 11 U.S.C. §§ 328(A) and 1103 Authorizing and Approving the Retention and Employment of Cole Schotz P.C. as Special Real Estate Counsel, Efficiency Counsel and Delaware Counsel to the Official Committee of Unsecured Creditors Effective as of September 24, 2024*, [Docket No. 1253] (the “First Supplemental Declaration”).

5. I submit this Second Supplemental Declaration in accordance with sections 327, 328 and 330 of the Bankruptcy Code, Bankruptcy Rules 2014 and 2016, Local Rules 2014-1 and 2016-1 and the Alberto Declaration. Except as otherwise noted, I have personal knowledge of the matters set forth herein.

6. As set forth in the Alberto Declaration, Cole Schotz committed to file a supplemental declaration to the extent that any information disclosed in the Alberto Declaration

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

requires supplementation, amendment or modification. *See* Alberto Decl. ¶ 3. Accordingly, I submit this Second Supplemental Declaration to provide the additional disclosures set forth herein.

7. Cole Schotz currently represents ARCTRUST, which is listed under Real Estate Lessors/Landlords on the Interested Party List, in connection with unrelated corporate matters. For the avoidance of doubt, Cole Schotz does not represent ARCTRUST in these Chapter 11 Cases.

8. To the best of my knowledge, information and belief, I continue to believe that Cole Schotz neither holds nor represents any interest adverse to the Debtors, their creditors or other parties in interest in connection with these Chapter 11 Cases. Based upon information available to me, I believe that Cole Schotz is a “disinterested person” within the meaning of section 101(14) of the Bankruptcy Code.

I declare under penalty of perjury that the foregoing is true and correct on this 10th day of January, 2025.

/s/ Justin R. Alberto
Justin R. Alberto